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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/558,360	11/25/2005	Takuma Hashimoto	P28811	3905
7055 7590 02/01/2008 GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			EXAMINER KHOSRAVIANI, ARMAN	
			ART UNIT 2818	PAPER NUMBER
			NOTIFICATION DATE 02/01/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/558,360

Applicant(s)

HASHIMOTO ET AL.

Examiner

Arman Khosraviani

Art Unit

2818

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15, 17, 19 and 21-28 is/are rejected.
- 7) ☒ Claim(s) 16, 18 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 November 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claims 6 and 7 are objected to because of the following informalities:

"throughholes" should be changed to – through holes –.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in **Graham v. John Deere Co., 383 U.S. 1, 148 USPQ 459 (1966)**, that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows: **(See MPEP Ch. 2141)**

- a. Determining the scope and contents of the prior art;
- b. Ascertaining the differences between the prior art and the claims in issue;
- c. Resolving the level of ordinary skill in the pertinent art; and
- d. Evaluating evidence of secondary considerations for indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugimoto et al. (US 2003/0189830).

Regarding claim 1, Sugimoto teach (e.g. figs. 4a-4b, pars. 97-99) a light-emitting device comprising: a submount comprising a mount base 4 made of an electrically insulating material, at least one light-emitting diode chip 2 mounted thereon and electrically conducting lines 8 formed on the mount base 4 to be connected electrically to the light-emitting diode chip 2; and a first plate 3 for heat transfer (par. 106) comprising a metallic plate (aluminum, e.g. pars. 76, 82, 84 and 97), wherein a first plane of the mount base 4 opposed to the metallic plate of the first plate 3 is bonded (through an adhesive 22) to said first plate, and wherein the mount base comprises a recess, and the at least one light-emitting diode chip 2 is mounted on a bottom of the recess. It is noted that in the embodiment of figs. 4a-4b Sugimoto does not specify using the adhesive 22 to thermal bond mount base 4 opposed to the metallic plate of the first plate 3.

However, Sugimoto teach (Embodiment 20, par. 168) the use of thermally conductive material as an adhesive 22.

Since both Embodiments 4 and 20 of Sugimoto teach the light-emitting device above, it would have been obvious to have a first plane of the mount base opposed to the metallic plate of the first plate is bonded thermally to said first plate of Embodiment 20 of Sugimoto in Embodiment 4 for the benefit of providing heat transfer (par. 10).

Regarding claim 11, Sugimoto teach (fig. 4a) at least one groove is provided on the first plane of the mount base 4.

Regarding claim 12, Sugimoto teach (fig. 4a) each of said at least one groove comprises a bottom and two sides, a width between the two sides increasing in a direction from the bottom toward an opening of said each of said at least one groove.

Regarding claim 13, Sugimoto teach (fig. 4a, par. 76) a layer 8 formed on said at least one groove made of a material (copper) having a thermal conductivity higher than the mount base (insulating material, e.g. crystal polymer).

4. Claims 2-10 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugimoto et al. (US 2003/0189830) in view of Harrah et al. (US 6,498,355).

Regarding claim 2, Sugimoto teaches (fig. 4a) said first plate heat transfer comprises the metallic plate 3, but fails to teach an insulator layer formed thereon, and an electrical connection pattern layer formed on the insulator layer, the first plate of the mount base of said submount is bonded thermally to a portion of the metallic plate of said first plate exposed at a side opposed to said submount by removing the insulator layer and the pattern layer, and the electrically conducting lines of said submount are connected electrically to the electrical connection pattern layer of said first plate.

However, Harrah disclose (e.g. fig. 2, see also col. 2/ll. 49 through col. 5/ll. 25) a light-emitting device above, wherein said first plate 8, 10, 6 for heat transfer comprises the metallic plate 6, an insulator layer 10 formed thereon, and an electrical connection pattern layer 8 formed on the insulator layer 10, the first plate of the mount base 30 of

said submount is bonded thermally to a portion of the metallic plate 6 of said first plate exposed at a side opposed to said submount by removing the insulator layer and the pattern layer, and the electrically conducting lines 34, 36 of said submount are connected electrically to the electrical connection pattern layer 8 of said first plate (by vias 38, 40).

Since both Sugimoto and Harrah teach the light-emitting device above, it would have been obvious to have an insulator layer formed thereon, and an electrical connection pattern layer formed on the insulator layer, the first plate of the mount base of said submount is bonded thermally to a portion of the metallic plate of said first plate exposed at a side opposed to said submount by removing the insulator layer and the pattern layer, and the electrically conducting lines of said submount are connected electrically to the electrical connection pattern layer of said first plate of Harrah in Sugimoto for the benefit of improving thermal conductivity while increasing device integration (col. 2/ll. 4-14 and col. 4/l. 66 through col. 5/l. 25).

Regarding claim 3, Sugimoto teach (fig. 4a) said first plate for heat transfer has a protrusion having a plane to bond thermally to the other of the mount base.

Regarding claim 4, Sugimoto teach (fig. 4a) said first plate for heat transfer has a protrusion while the other (mount base) has a recess, so that the protrusion fits into the recess to bond thermally between them.

Regarding claim 5, Harrah teach (e.g. figs. 2, see also col. 6/lls. 16-36) the light-emitting diode chip is mounted face down to the mount base with a bonding material.

Regarding claim 6, Sugimoto fails to teach in fig 4a through holes covered by a layer made of a material having a higher thermal conductivity than the mount base.

However, Sugimoto teach (Embodiment 10, fig. 10, par. 76) through holes 6 covered by a layer 3 made of a material (copper) having a higher thermal conductivity than the mount base 4 (insulating material, e.g. crystal polymer).

Since both Embodiments 4 and 10 of Sugimoto and Harrah teach the light-emitting device above, it would have been obvious to have through holes covered by a layer made of a material having a higher thermal conductivity than the mount base of Embodiment 10 of Sugimoto in Embodiment 4 with Harrah for the benefit of providing heat transfer (par. 10).

Regarding claim 7, Sugimoto teach (Embodiment 10, fig. 10, par. 76) through holes 6 filled with a material (copper) having a higher thermal conductivity than the mount base 4 (insulating material, e.g. crystal polymer).

Regarding claim 8, Harrah teach (e.g. fig. 2, see also col. 4/ll. 36 through col. 5/ll. 25) a metallic member 24 provided between the mount base and said first plate for heat transfer, said metallic member making bond thermally with the mount base of the submount and with the exposed portion of the metallic plate of said first plate.

Regarding claim 9, Harrah teach (e.g. fig. 2, see also col. 4/ll. 36 through col. 5/ll. 25) said metallic member 24 is a bonding member to bond the mount base of the submount to the exposed portion of the metallic plate of said first plate.

Regarding claim 10, Harrah teach (e.g. fig. 2, see also col. 4/ll. 36-54) the mount base is made of a ceramic material.

Regarding claim 26, Sugimoto teach (fig. 4a) a mount base 4 including a heat transfer material 3 embedded therein (protrusion of 3 is embedded in 4), the heat transfer material (copper) having thermal conductivity higher than a main body of the mount base 4 (insulating material, e.g. crystal polymer).

5. Claims 14-15, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugimoto et al. (US 2003/0189830) in view of Schneider (US 5,172,301).

Regarding claim 14, Sugimoto teach (fig. 4a) a light-emitting diode chip 2 mounted to the mount base 4 with a bonding material 21, but fails to teach at least one groove formed between the bonding material 21 and the first plane of the mount base 4 to bond thermally to the exposed portion of the metallic plate 3.

However, Schneider teach (e.g. fig. 3) at least one groove 312 formed between the bonding material 304 and the first plane of the mount base 306 to bond thermally to the exposed portion of the metallic plate 314.

Since both Schneider and Sugimoto teach a semiconductor device (e.g. a light-emitting device) above, it would have been obvious to have at least one groove formed between the bonding material and the first plane of the mount base to bond thermally to the exposed portion of the metallic plate of Schneider in Sugimoto for the same benefit of improving heat transfer for an LED device (col. 1/II. 55-57).

Regarding claim 15, Schneider teach (e.g. fig. 3) a number of said at least one groove 312 is equal to two, and density of the grooves increases toward a region just below the light-emitting diode chip (increases from no grooves to two).

Regarding claim 17, Schneider teach (e.g. fig. 3) a number of said at least one groove 312 is equal to two, and density of the grooves increases toward a region just below the light-emitting diode chip (increases from no grooves to two).

Regarding claim 19, Sugimoto fails to teach in fig 4a, a number of the at least one light-emitting diode chip is equal to or larger than two.

However, Sugimoto teach (Embodiment 10, fig. 10, par. 76) a number of the at least one light-emitting diode chip equal to two.

Since both Embodiments 10 and 4 of Sugimoto teach the light-emitting device above, it would have been obvious to have a number of the at least one light-emitting diode chip equal to two of Embodiment 10 of Sugimoto in Embodiment 4 for the benefit of providing heat transfer (par. 10).

Embodiments 10 and 4 of Sugimoto fails to teach a number of said at least one groove is equal to or larger than two, and density of the grooves increases toward a region just below a central light-emitting diode chip in the light-emitting diode chips.

However, Schneider teach (e.g. fig. 3, see also fig. 6 pertaining to multiple semiconductor devices, e.g. multiple LEDs) a number of said at least one groove 312 is equal to two, and density of the grooves increases toward a region just below the light-emitting diode chip (increases from no grooves to two).

Since both Schneider and Embodiments 4 and 10 of Sugimoto teach a semiconductor device (e.g. a light-emitting device) above, it would have been obvious to have a number of said at least one groove equal to two, and density of the grooves increases toward a region just below the light-emitting diode chip of Schneider in Embodiments 10 and 4 of Sugimoto for the same benefit of improving heat transfer for an LED device (col. 1/ll. 55-57).

6. Claims 21-24 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugimoto et al. (US 2003/0189830), in view of Haitz (US 5,323,084).

Regarding claim 21, Sugimoto remain as previously applied. Sugimoto teach a light emitting device a submount comprising a mount base, a first plate for heat transfer comprising a metallic plate, and a first plane of the mount base opposed to the metallic plate of the first plate thermally bonded to said first plate, but fails to teach a second plate for heat transfer bonded thermally to a second plane of said submount different from the first plane thereof.

However, Haitz teaches (figs. 1-4, col. 4/l. 35 through col. 5/l. 31) the light-emitting device (figs. 3A-3C) 11 comprising a second plate 12 for heat transfer bonded thermally to a second plane of said submount 10 different from the first plane thereof.

Since both Haitz and Sugimoto teach a semiconductor device (e.g. a light-emitting device) above, it would have been obvious to have a second plate for heat transfer bonded thermally to a second plane of said submount different from the first

plane thereof of Haitz in Sugimoto for the same benefit of providing a simple structure to improve heat transfer for a light-emitting device (col. 4/l. 55 through col. 5/l. 6).

Regarding claim 22, Haitz teaches (e.g. fig. 3B) said second plate 12 for heat transfer comprises another metallic plate, an insulator layer 18 formed thereon, and an electrical connection pattern layer formed on the insulator layer, and the electrical connection pattern layer is connected electrically to the electrically conducting lines of said submount (col. 5/l. 17-31).

Regarding claim 23, Haitz teaches (e.g. fig. 3B) said first 13 and second 12 plates comprises at least one plate member 12 to bond thermally (glass strip 10 acts as a bonding layer) with the other of said second plate 13.

Regarding claim 24, Haitz teaches (e.g. fig. 3B) a thermally conducting member (18 and 19) provided between said first and second plates to bond thermally with each of said first and second plates.

Regarding claim 27, Haitz teaches (e.g. fig. 3B) the heat transfer material (glass strip 10 acts as a bonding layer) is bonded with at least one of said first 13 and second plates 12.

7. Claims 25 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugimoto et al. (US 2003/0189830), in view of Haitz (US 5,323,084), and in further view of Tsuji et al. (JP 404048740) (of record).

Regarding claim 25, the combination of Sugimoto and Haitz fails to teach one of first and second planes having an opening above the at least one light-emitting diode chip mounted on the mount base.

However, Tsuji teach (see Abstract) one of first and second planes having an opening above the at least one light-emitting diode chip mounted on the mount base.

Since Tsuji in combination with Sugimoto and Haitz teach a semiconductor device (e.g. a light-emitting device) above, it would have been obvious to have one of first and second planes having an opening above the at least one light-emitting diode chip mounted on the mount base of Tsuji in the combination of Haitz and Sugimoto for the same benefit of providing a simple structure to improve heat transfer for a light-emitting device.

Regarding claim 28, Tsuji teach (see Abstract) mount base including a heat transfer material embedded therein, the heat transfer material having thermal conductivity higher than a main body of the mount base (to provide a sink for heat generated on the device).

Allowable Subject Matter

8. Claims 16, 18 and 20 are objected to as being dependent upon a rejected base claims 1, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter: A thorough search was conducted, however at the present time a light emitting

device having grooves with varied depth, density and shape was not found to be obvious in view of references at this time.

Response to Arguments

10. Applicant's arguments with respect to claims 1-28 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arman Khosraviani whose telephone number is 571-272-2554. The examiner can normally be reached on Monday to Friday, 7:30a - 5:00p (Eastern Time).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Loke can be reached on 571-272-1657. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AK

STEVEN LOKE
SUPERVISORY PATENT EXAMINER

